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FACSIMILE COVER SHEET

TO: US Patent and Trademark Office FAX: 703 872 9306 From: Pehr Jansson	Certificate of Transmission under 37 CFR 1.8 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No.: 703 308 6916) on <u>November 8, 2004</u> .  Pehr Jansson, Reg. No. 35,759
<u>In regard to:</u> Appl. No. : 09/622,657 Applicant : Thiriet Filed : 10/16/2000 TC/AU : 2876 Examiner : Nguyen, K. Docket No. : 76.0478 Customer No. : 000041754	This certificate applies to the following documents transmitted herewith: <ul style="list-style-type: none">• Petition to Revive (PTO/SB/64) (2 Pages)• Statement Establishing Unintentional Delay (2 Pages)• Request for Continued Examination (PTO/SB/30) (1 Page)• Fee Transmittal (PTO/SB/17) and copy (2 Pages)• Preliminary Amendments (6 Pages)
Total number of pages including this cover page	<u>14</u>

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PTO/SB/34 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

76.0748 US

First named inventor: Fabien Thiriet

Application No.: 09/622,657

Art Unit: 2876

Filed: 10/16/2000

Examiner: Nguyen, Kimberly D

Title: LOADING COMPUTER PROGRAMS IN BLOCKS

Attention: Office of Petitions
Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1370.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a preliminary amendment in an RCE application (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (08-04)

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<u><i>Pehr Jansson</i></u> Signature	<u>Nov. 8, 2004</u> Date
<u>Pehr Jansson</u> Typed or printed name	<u>35,759</u> Registration Number, if applicable
<u>7628 Parkview Circle</u> Address	<u>512 241 0837</u> Telephone Number
<u>Austin, TX 78731</u> Address	

Enclosures: ☒ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306. 308 6916Nov 8, 2004
Date*Pehr Jansson*
SignaturePehr Jansson, Reg. No. 35,759
Typed or printed name of person signing certificate

09/622,657

Statement Establishing Unintentional Delay

RECEIVED
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Atty. Docket. 76.0478

NOV 08 2004

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/622,657 Confirmation No. 2712
Applicant : Fabien Thiriet
Filed : 10/16/2000
TC/A.U. : 2876
Examiner : Nguyen, Kimberly D

Docket No. : 76.0478
Customer No. : 41754

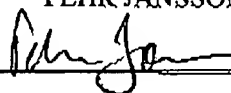
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Typed or printed name of person signing certificate
PEHR JANSSON

Signature

**Statement Establishing Unintentional Delay**

Sir:

Up until June 19, 2004 the present case was handled by Mr. Len Pojunas, Reg. No. 30,314. In December 2003, Mr. Pojunas was transferred from the then-used correspondence address. The division of Schlumberger, which Mr. Pojunas was employed prior to his transfer, was sold to another company.

An office action in the parent case issued on November 02, 2003. However, because Mr. Pojunas' departure from the correspondence address and the transfer of ownership of the company at that address, the office action was never received by Mr. Pojunas or any other person employed by the assignee.

During the spring of 2004, the assignee decided to transfer responsibility of the application to the undersigned attorney. The undersigned attorney filed a Power of

1 of 2

09/622,657

Statement Establishing Unintentional Delay

PATENT

Atty. Docket. 76.0478

Attorney and Correspondence Address Indication Form (SB/81) on June 19, 2004 executed by Mr. Pojunas designating the undersigned's customer number. Some time thereafter, the undersigned checked on the PAIR system for the application. However, the application had not yet appeared on the undersigned's customer number.

Next, the undersigned received a telephone call from Examiner Nguyen, to the undersigned's recollection in September 2004. Examiner Nguyen then alerted the undersigned about the fact that the office action had issued and not been answered. That was the first time undersigned became aware of the office action.

The notice of abandonment subsequently issued.

If the Office Action had been received by Applicant, Applicant would have answered it in a timely fashion. Thus, it was not intentional that the application went abandoned. Accordingly, Applicants respectfully submit that the foregoing establishes that the delay beyond the period for response was unintentional.

Respectfully submitted,

 nov 8, 2004

Pehr Jansson, Reg. No. 35,759
Attorney for Applicants

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